

Remarks

The Examiner's reconsideration of the application is requested in view of the amended Abstract submitted herewith and comments which follow.

1. The abstract has been resubmitted in a clean form which is believed should overcome the objection raised.

2-3. Claims 48-49, 51, 54-57, 59-60, 62-67 and 70 stand rejected under 35 USC 103(a) as being unpatentable over Mollo (US 6047965) in view of Sher (US5755440). Reconsideration is requested.

Applicant agrees with the Examiner that Mollo does not describe this air injection feature, nor the hole in each pocket.

As for Sher, the Office Action refers to a plurality of holes (fig 1, holes 112) but these are not holes. The items in Figure 1 with reference number 112 are "diamond-shaped projecting structures 112" (see column 3 lines 55 to 57).

It is true that Sher does teach an air-injection means, the "air operated apparatus 200" but this is used in Sher to inject the roulette ball initially into the roulette wheel. In other words, in Sher the air is used to launch balls into the wheel (see column 5 lines 2 to 52). Thus, the "air operated apparatus 200" of Sher is used to replace the operation described in Mollo at column 3 lines 59 to 61 "a dealer imparts velocity to the ball ...", i.e. to inject a ball not present in the wheel to the wheel. This is in accordance with the normal play of the game of roulette.

In contrast, in the present invention the air injection means is not used to inject balls into the wheel at the start of each game, but instead to eject balls from a pocket onto the peripheral inclined surface. In other words, in the present invention the air jet is provided to remove the ball from the pocket after the end of every game.

The normal play of the game of roulette involves the removal of the ball from the wheel at the end of every game by the casino operative, the spinning of the wheel, followed by the introduction of a ball into the spinning wheel normally by the dealer (Mollo) or, as taught by Sher, by an air injection means.

The change of introducing a hole in each pocket does not therefore add another well known automatic element to the arrangement of Mollo - instead it adds a wholly new element of removing the ball from the final resting place, the pocket, at the end of every game. None

of the references teach automatically removing the ball from the pocket at the end of every game by any means whatsoever. Since neither Sher nor any of the other references teaches this new element, Applicant respectfully submits that the additional feature is not a well known feature, indeed not a known feature at all.

For this reason, Applicant submits that the provision of a hole in the pocket with air injection means would not have been obvious.

Further, with respect to the feature of "a hole in each pocket" alone, Applicant notes the comments bridging pages 3 and 4 of the Office action. Applicant respectfully submits that the provision of a hole in the pocket is not simply changing the location of a part. Firstly, as indicated above, part 112 is not a hole, so the change is not simply a change of location.

Moreover, in claim 48 the provision of a hole in each pocket delivers, in combination with the air injection means, a means for removing the ball from its end position after every game. In contrast, the air operated apparatus of Sher is only used for introducing a ball at the start of every game. Therefore, the function of the holes is different - the holes of the applicant do not merely perform the function of injecting the ball. Instead, they perform the function of removing the ball from its resting place at the end of every game, a wholly different concept.

Further, the skilled person combining Sher and Mollo would not arrive at claim 1. If the skilled person were to combine Sher and Mollo, the skilled person would simply add an automatic ball injection system to Mollo and would not add holes in each pocket nor air-injection means as claimed, since these are taught by neither Sher nor Mollo. The skilled person would accordingly not end up with claim 1.

The same arguments above apply to independent claim 63 which includes the novel feature "directing an air jet at the ball from a hole in the pocket to eject the ball from the pocket".

It is submitted that the remaining claims cited in this section, namely claims 49, 51, 54 to 57, 59 to 60, 62, 64 to 67 and 70 would not have been obvious for the same reasons, as depending from an allowable independent claim.

4. Regarding Castellanos, this teaches providing sensors for detecting the position of a ball.

Claims 50, 53, 68 recite a "means to stop the rotor so that a hole in the pocket is aligned with the nozzle". Castellanos is said to teach a motor 4A which may stop the rotor.

However, a conventional electric motor cannot, in general, stop the rotor at a location for precise alignment of a thin air injection line with a hole in the pocket, and so it is submitted that Castellanos does not teach a means which can carry out the stated function. Applicant respectfully submits, therefore, that the skilled person would not be led by a combination of Mollo, Sher and Castellanos to the feature of claims 50, 53 and 63 since Castellanos does not teach a suitable means.

Claim 52 recites a plate with apertures for delivering air to the holes in the pocket.

Castellanos teaches a plate with holes, but this is for use with a sensor. The skilled person would accordingly have no motivation to combine this plate with the air injection means as recited in some detail in claim 52, and accordingly would not arrive at claim 52.

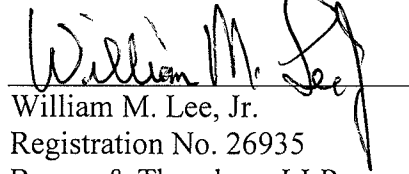
Further, Castellanos does not teach conduits as recited in claim 52 arranged to be able to eject balls. For this reason, it is submitted that a combination of Castellanos, Mollo and Sher would not arrive at apparatus with all the features of claim 52. Applicant accordingly respectfully submits that claim 52 would not have been obvious.

Additionally, all pending claims are respectfully submitted as non-obvious since they depend from an allowable main claim.

In view of the foregoing, it is submitted that the application, as claimed, distinguishes from the prior art and is allowable thereover. The Examiner's further and favorable reconsideration of the application is therefore.

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Respectfully submitted

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

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